

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, JULY 22, 1985

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:07 p.m. Mayor Hedgecock and the Council welcomed visiting students from Gregg International College in Yokohama, Japan. The students were introduced by Marge Wells, President of the San Diego-Yokohama Sister City Society. Mayor Hedgecock adjourned the meeting at 3:51 p.m. to immediately meet in Closed Session in the twelfth floor conference room regarding pending litigation and to meet in Closed Session on Tuesday, July 23, 1985 at 9:00 a.m. in the twelfth floor conference room regarding personnel matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Vacant
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (jb)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-not present

ITEM-10: INVOCATION

Invocation was given by Rabbi Laurie Coskey, of
Congregation Beth Israel.

FILE: MINUTES

Jul-22-1985

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Struiksma.

FILE: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

07/08/85 A.M.

07/09/85 A.M. Special

07/09/85 A.M. and P.M.

FILE: MINUTES

COUNCIL ACTION: (Tape location: A080-087.)

MOTION BY McCOLL TO APPROVE THE MINUTES. Second by Gotch.

Passed by the following vote: Mitchell-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District
7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-31: GRANTED HEARING

Matter of the request of John F. Shoemaker, for a hearing
of an appeal from the decision of the Board of Zoning
Appeals in denying the request to amend a variance to
maintain approximately 59'-5" of maximum 6'-4" solid wall
observing at the closest point a 0'-0" front yard (portion
of the wall encroaches 1'-0" into the public right-of-way);
but approving maximum 4'-8" solid wall at the southern
property line; the remaining portion of the wall to be
4'-0" in height.

The subject property is located at 849 Rosecrans Street in
Zone R1-5000, in the Peninsula Community Plan area, and is
further described as Lot 25, Yacht Club Terrace, Map-2224.
(Case C-17187. District-2.)

A motion granting or denying the request for a hearing of
the appeal.

FILE: ZONE - Zoning Appeals C-17187

COUNCIL ACTION: (Tape location: A089-095.)

MOTION BY CLEATOR TO GRANT THE HEARING. Second by Jones.

Passed by the following vote: Mitchell-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District
7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-32: GRANTED HEARING

Matter of the request of Lawrence N. Cooper, M.D., by Voyd
H. Beights, Agent, for a hearing of an appeal from the
decision of the Board of Zoning Appeals in denying
CUP-18767 which proposes to use the rear portion of the
subject lot to provide four off-street parking spaces for a
medical building located at 233 Lewis Street where such use
is permitted by Conditional Use Permit only. The subject
property is located at 4088 Third Avenue, in Zone R-400, in
the Uptown Community Plan area and is further described as
Lot 31, Block 5, Hillcrest Subdivision, Map-1024.
(CUP-18767. District-2.)

A motion granting or denying the request for a hearing of
the appeal.

NOTE: See Item 33.

FILE: ZONE - Zoning Appeals C-18767

COUNCIL ACTION: (Tape location: A096-099.)

MOTION BY CLEATOR TO GRANT THE HEARING. Second by Jones.

Passed by the following vote: Mitchell-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District
7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-33: GRANTED HEARING

Matter of the request of Lawrence N. Cooper, M.D., by Voyd
H. Beights, Agent, for a hearing of an appeal from the
decision of the Board of Zoning Appeals in denying a
request to construct a 520-sq. ft. addition to an existing
3,000-sq. ft. medical building, providing ten off-street
parking spaces where 14 off-street parking spaces are
required, at 233 Lewis Street, in Zone CO, in the Uptown
Community Plan area. The subject property is further
described as Lot 1, Block 4, Hillcrest Subdivision,
Map-1024.

(Case C-18768. District-2.)

A motion granting or denying the request for a hearing of
the appeal.

NOTE: See Item 32.

FILE: ZONE - Zoning Appeals C-18768

COUNCIL ACTION: (Tape location: A100-105.)

MOTION BY CLEATOR TO GRANT THE HEARING. Second by Jones.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-50: (O-85-176) ADOPTED AS ORDINANCE O-16467 (New Series)

Amending Chapter II, Article 6, of the San Diego Municipal Code by amending Section 26.17, relating to the Agricultural Board, to expand the role of the City's Agricultural Advisory Board to include matters related to agricultural lands within the City limits, as well as the use and development of City-owned agricultural land in the County.

(Introduced on 7/8/85. Council voted 7-0. District 6 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A158-163.)

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-51: (O-85-220) ADOPTED AS ORDINANCE O-16468 (New Series)

Amending Chapter X, Article 1, Division 5, Section 101.0508 of the San Diego Municipal Code by establishing a formal process for revocation of a Conditional Use Permit and restricting property to the use specified in the permit until a new or amended permit is obtained.

(Introduced on 7/9/85. Council voted 7-0. District 6 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A158-163.)

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-52:

Two actions relative to the issuance of Industrial Development Bonds to SDG&E:

(Introduced on 7/8/85. Council voted 7-0. District 6 not present. District 7 vacant.)

Subitem-A: (O-85-204) ADOPTED AS ORDINANCE O-16469 (New Series)

Amending Chapter IX, Article 7, Division 3, of the San Diego Municipal Code, by amending Section 97.0301 to increase the principal amount of Revenue Bonds authorized to be issued for energy projects pursuant to the City of San Diego Economic Development Revenue Bond Law.

Subitem-B: (O-85-205) ADOPTED AS ORDINANCE O-16470 (New Series)

Authorizing the issuance and sale of City of San Diego Industrial Development Revenue Bonds to San Diego Gas & Electric in an aggregate principal amount not to exceed \$150,600,000; authorizing one or more loan agreements and indentures, with a trustee or trustees, to be selected in connection with the issuance of City of San Diego Industrial Development Revenue Bonds.

FILE: MEET

COUNCIL ACTION: (Tape location: A158-163.)

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-53: (O-85-233) ADOPTED AS ORDINANCE O-16471 (New Series)

Authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds, in a principal amount not to exceed \$42,000,000, for the purpose of making a loan to Crow-Western Company to provide funds for the construction and permanent financing of the cost of developing the Mirada at La Jolla Colony, a 444-unit multifamily rental project; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.
(Located west of Lebon Drive and north of Palmilla Drive. University City Community Area. District-1. Introduced on 7/9/85. Council voted 6-0. Districts 2 and 6 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A158-163.)

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by McColl. Passed by the following vote: Mitchell-yea,

Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea,
District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-54: (O-85-232) ADOPTED AS ORDINANCE O-16472 (New Series)

Authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds, in a principal amount not to exceed \$18,500,000, for the purpose of making a loan to N.B. Partners to provide funds for the interim and permanent financing of the cost of developing the Towne Centre Apartments, a 256-unit multifamily rental project; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.
(University Community Area. District-1. Introduced on 7/9/85. Council voted 6-0. Districts 2 and 6 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A158-163.)
CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.
Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-55: (O-85-211) INTRODUCED, TO BE ADOPTED AUGUST 5, 1985

Introduction of an Ordinance amending Chapter I of the San Diego Municipal Code by amending Section 11.15, relating to General Provisions, to clarify the intent of the City Council in giving directions to City staff in the performance of their duties.

FILE: --

COUNCIL ACTION: (Tape location: A164-169)
CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

- * ITEM-100: (R-85-2490) ADOPTED AS RESOLUTION R-263696

Awarding a contract to Glenview Feed Co. for the purchase of horse feed for a period of one year beginning July 1, 1985 through June 30, 1986, for an

estimated cost of \$11,690.27, including tax and terms.
(BID-6512)

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-101: (R-85-2495) ADOPTED AS RESOLUTION R-263697

Authorizing the City Manager to exercise an option to purchase 17,800 feet of additional fire hose from San Diego Fire Equipment Co., Inc., under the terms and conditions previously authorized by Resolution R-262897, adopted April 15, 1985, for an actual cost of \$61,321, including tax and terms. (BID-6146)

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-102: (R-85-2496) ADOPTED AS RESOLUTION R-263698

Inviting bids for Gershwin Neighborhood Park - Drainage Improvements on Work Order No. 118552; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$20,000 from PSD Fund 13430 to CIP-29-526, Gershwin Neighborhood Park - Drainage Improvements; authorizing the expenditure of funds not to exceed \$45,000 from CIP-29-526, Gershwin Neighborhood Park - Drainage Improvements for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-6565)
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER REPORT: This project will provide additional drainage facilities at the Gershwin Neighborhood Park Site. Project construction work will correct site drainage problems and control park site drainage runoff now creating adjacent canyon erosion problems which jeopardizes private property. The project is identified in and consistent with the Clairemont Mesa

Community Plan.

Aud. Cert. 86068.

FILE: W.O. 118552

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-103: (R-85-2491) ADOPTED AS RESOLUTION R-263699

Declaring Turf Irrigation Repair to be in default of the contract authorized by Resolution R-262758 for miscellaneous reconstructed sprinkler heads and assorted parts; awarding the balance of the contract to Thowe Sprinkler Repair Service Inc., as may be required for the period of one year beginning March 15, 1985 through March 15, 1986, for an estimated cost of \$31,714.44, including tax and terms. (BID-6176)

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-104: (R-85-2583) ADOPTED AS RESOLUTION R-263700

Terminating the subdivision agreement with Emma Webb Clarke, subdivider of Nightingale, dated July 3, 1980, Document No. RR-252184; releasing Performance Bond No. 385584, issued by Insurance Company of the West, guaranteeing the improvements in Nightingale subdivision. (Uptown Community Area. District-2.)

CITY MANAGER REPORT: On July 3, 1980, the City entered into an agreement with Emma Webb Clarke for the construction of public improvements for Nightingale. On October 11, 1982, a time extension was granted to June 30, 1984, by Resolution R-257308. On December 3, 1984, a second time extension was granted to June 30, 1985, by Resolution R-262045. The improvement of Bachman Place that was bonded for under the agreement has since been completed by others. No other public improvements were required of the developer. It is therefore recommended that Subdivision Improvement Agreement RR-252184 be terminated and the surety be released.

FILE: SUBD - Nightingale Condominium

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-105: (R-86-37) ADOPTED AS RESOLUTION R-263701

Approving the acceptance by the City Manager of that street easement deed of the County of San Diego, granting to City an easement for public street purposes in a portion of Rancho De Los Penasquitos according to the Map recorded in Patent Book 2, Page 385; dedicating said land as and for a public street, and naming the same Black Mountain Road. (Penasquitos East Community Area. District-1.)

FILE: DEED F-2919 DEEDFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106: (R-86-36) ADOPTED AS RESOLUTION R-263702

Changing the names of those streets located in Hobbs Mira Mesa Subdivision, Map-11028, as follows:

Gaynor Drive to Carrington Drive

Belton Drive to Angeton Drive

Belton Court to Angeton Court

Camass Street to Bannister Lane

Badel Lane to Bannister Way

Dancy Court to Dancy Place

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: The streets being renamed are located in the Mira Mesa Community, southwesterly of Mira Mesa Boulevard and Parkdale Avenue in Council District No. 5. They are all within the Hobbs Mira Mesa Subdivision. These changes are being made at the request of the subdivider and he is the only property owner affected. The street name changes are at no cost to the City. The subdivider will erect all of the necessary street name signs.

FILE: DEED F-2920 DEEDFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107: (R-86-38) ADOPTED AS RESOLUTION R-263703

Expressing support for Senate Bill SB-1199 (Craven) entitled "Freeway Call Boxes"; directing the Intergovernmental Relations Department Director to seek a desirable but not essential amendment that would change the composition of the Service Authority for Freeway Emergencies to require that two of the five non-county members be selected by any city composing 40 percent or more of a county's population.
(See Intergovernmental Relations Department Report IRD-85-74.)

COMMITTEE ACTION: Reviewed by RULES on 6/24/85. Recommendation to adopt staff recommendation in Intergovernmental Relations Department Report IRD-85-74. Districts 1, 4, 6, 8 and Mayor voted yea.

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-108: (R-86-39) ADOPTED AS RESOLUTION R-263704

Requesting the City Attorney to monitor the Patton v. Alameda case, as it relates to the constitutionality of extraordinary taxes, and advise the City Council and City Manager of its impact on the continuing viability of the City's Zoo Tax; directing the City Manager to consider alternative means for dealing with a possible loss of zoo tax revenue.
(See Intergovernmental Relations Department Report IRD-85-75.)

COMMITTEE ACTION: Reviewed by RULES on 6/24/85. Recommendation to adopt staff recommendation in IRD-85-75. Districts 1, 4, 6, 8 and Mayor voted yea.

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,
Martinez-yea, Mayor Hedgecock-yea.

* ITEM-109: (R-85-2569) CONTINUED TO AUGUST 5, 1985

Declaring the real property and improvements owned by the City of San Diego, identified in the TMY Farms, Inc. lease agreement with the City as Buildings No. 3 and 5, to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance.
(See City Manager Report CMR-85-355. San Pasqual Valley Community Area. District-1.)

FILE: LEAS - TMY Farms, Inc.

COUNCIL ACTION: (Tape location: A183-539.)

MOTION BY MITCHELL TO CONTINUE FOR TWO WEEKS, AT HIS REQUEST. DIRECT STAFF AND THE CITY ATTORNEY TO STUDY THE CASE AND RENDER A LEGAL OPINION. ALSO TEST ALL OF THE OTHER WELLS IN CONNECTION WITH THIS PROPERTY; IF THEY ARE FOUND TO BE CONTAMINATED, SEEK THE APPROPRIATE LEGAL ACTION TO HAVE THEM SHUT DOWN UNTIL THIS ISSUE IS RESOLVED. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-110: (R-86-32) ADOPTED AS RESOLUTION R-263705

Authorizing the execution of an agreement with Appel Development for removing 550 feet of curb and widening the south side of Palm Avenue, west of Beyer Boulevard; authorizing the expenditure of an amount not to exceed \$14,663 from Capital Outlay Fund 30245--Annual Allocation, New Development, CIP-58-001, for the purpose of providing funds for the above project.

(South San Diego Community Area. District-8.)

CITY MANAGER REPORT: In 1979, a Phase One improvement of Palm Avenue was constructed under Assessment District procedures. The project left the curb, sidewalk, pavement widening, and median improvements to be accomplished in the future in conjunction with the development of the abutting properties. Recently, plans were approved for property at the southwest corner of Palm Avenue and Beyer Boulevard. The plans as approved inadvertently did not provide for the pavement widening. The curb was placed in accordance with approved plans which did not provide for the desired widening. If the City will bear the cost of relocating the newly constructed curbs,

the developer has agreed to bear all costs associated with the pavement widening. It is recommended that the City cooperate with the developer to correct the problem for a cost not to exceed \$14,663.

Aud. Cert. 86039.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-111: (R-85-2556) ADOPTED AS RESOLUTION R-263706

Authorizing a third supplemental agreement to the Second Basic Agreement with the County of San Diego for public health services assigning to the County Health Services Department the duty of seeking compliance with the City's smoking restrictions applicable in indoor public places and places of employment.

(See City Manager Report CMR-85-329.)

COMMITTEE ACTION: Reviewed by PSS on 7/3/85. Recommendation to adopt the Resolution. Districts 4, 5, 6 and 8 voted yea.

District 3 not present.

FILE: CONT - Health Department Basic Health

Agreement with County CONTFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-112: (R-86-4) ADOPTED AS RESOLUTION R-263707

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Saturdays, Sundays and certain holidays excepted, on portions of Cass Street on both sides of the one block segments from Turquoise Street to Sapphire Street, Opal Street to Loring Street, Diamond Street to Emerald Street, Felspar Street to Garnet Avenue and the eastern side of the one block segment from Law Street to Chalcedony Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: The proposed two-hour parking limit was requested by the Council office for District 6 as the result of recent supportive recommendations by the Pacific Beach Planning Committee and the Pacific Beach Town Council. Recent parking surveys have determined that the following blocks meet the Council-approved requirements for the average occupancy and average stay for a two-hour time limit zone.

	Avg. Sides	Avg. Occupancy	Stay
Cass Street between: Turquoise Street to Sapphire Street (1 block)	Both	87.1	3.9 hrs.
Opal Street to Loring Street (1 block)	Both	80.7	3.5
Law Street to Chalcedony Street (1 block)	East	106.0	5.3
Diamond Street to Emerald Street (1 block)	Both	96.3	3.1
Felspar Street to Garnet Avenue (1 block)	Both	92.9	5.0

FILE: MEET

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-113: (R-86-30) ADOPTED AS RESOLUTION R-263708

Authorizing the execution of an agreement with Engineering Alliance Corp. for professional services needed in connection with the Standley Community Park - Pool Reconstruction, CIP-29-453; authorizing the expenditure of an amount not to exceed \$9,200 from CIP-29-453, Park Service District Funds, for the above project.

(University Community Area. District-1.)

CITY MANAGER REPORT: This agreement with Engineering Alliance Corp. constitutes the first of two proposed agreements to provide needed professional services in connection with the reconstruction/restoration of the Standley Community Park Swimming Pool. In 1981, the Park and Recreation staff at the pool and the community began to express concern over the apparent settlement of the pool. Subsequent to that, two investigative reports, one by Leighton and Associates in 1981 and a follow-up by Berryman and Stephenson in 1983, outlined

several alternatives for correcting the problem. These ranged from total reconstruction of the pool to interim structural remedies. This proposed agreement will provide staff with a detailed structural analysis of the alternatives along with cost estimates to enable us to determine the most cost effective solution to the problem. Once a decision on the final solution is made, a second agreement with the consultant will provide the detailed plans and specifications as necessary. The cost of this second agreement will depend on the solution selected and cannot be determined at this time. This consultant was selected following Council Policy 300-7, Consultant Services Selection. Aud. Cert. 86055.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-114: (R-85-1777) ADOPTED AS RESOLUTION R-263709

Authorizing the execution of an agreement with Perkin-Elmer Corporation for the purpose of maintaining the City's Master Traffic Signal System Computer for the period between July 1, 1985 through June 30, 1986; authorizing the expenditure of an amount not to exceed \$13,848 from Fund No. 100, Department 535, Organization 231, for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds to the appropriate reserves.

CITY MANAGER REPORT: The City's Central Business District (CBD) Master Traffic Signal System is now operational. This system is controlled by a Perkin-Elmer minicomputer and presently controls 150 intersections in Centre City. Capital Improvements Project CIP-62-149 (Pacific Beach Master Traffic Control System) anticipates using this system to control 35 to 40 additional intersections in the Pacific Beach area. Capital Improvements Project CIP-62-006.1 (Clairemont Mesa Boulevard Master Traffic Control Signal System - Extension) also anticipates using the CBD system to control an additional nine intersections. Furthermore, a feasibility study is now being completed that investigates adding an additional 60 intersections to the CBD system.

The City's prime construction contractor for the CBD System has the responsibility for maintaining the computer system through April 1985. This agreement will provide for continued computer

maintenance. Although there are other possible companies that could maintain this system, it is recommended using Perkin-Elmer (supplier of the computer) during the first year, allowing the Engineering and Development staff to become thoroughly familiar with the operation of this rather complex system.

Aud. Cert. 86042.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-115: (R-86-31) ADOPTED AS RESOLUTION R-263710

Approving Change Order No. 1, dated May 7, 1985, issued in connection with the contract with Cameron Brothers Construction Company, Inc. for construction of Eastgate Mall Regulator Relocation, amounting to a net increase in the contract price of \$15,500; authorizing the City Auditor and Comptroller to transfer \$15,500 from the Water Revenue Fund (41502) Unallocated Reserve (70679) to the Water Operating Fund (41500), Water Main and Valve Operation Maintenance Program (70540), to fund this Change Order; authorizing the expenditure of an amount not to exceed \$15,500 from the Water Revenue Fund (41500) for this contract and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserve.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: On September 10, 1984, Council authorized the Eastgate Mall Regulator Relocation Project. This project consisted of relocating a water pressure regulating station and vault in the Eastgate Mall vicinity. During construction of the regulating station, underground telephone ducts were discovered that were not indicated on the original plans. These telephone ducts are in direct conflict with the piping installation for the new regulating station. As this pipe was prefabricated, numerous field cuts and welds will now be necessary to install the pipes. Change Order No. 1 will authorize this additional work to complete the regulator station.

Aud. Cert. 86044.

WU-U-85-289.

FILE: CONT - Cameron Brothers Construction
Company, Inc.

COUNCIL ACTION: (Tape location: A170-182.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-150: (R-86-23) ADOPTED AS RESOLUTION R-263711

Requesting the San Diego County Board of Supervisors to restore its Policy I-55, entitled "San Diego Annexation/Incorporation Policy," to essentially its original language and meaning to achieve consistency with State of California policy respecting the preferred jurisdictional status of urban areas; acknowledging the significant importance to City government of many of the County-administered regional services; requesting the San Diego Association of Governments to sponsor studies aimed at identifying the most logical division of services-providing responsibilities between the County and this region's cities, as well as the most equitable sharing of fiscal resources for carrying out respective functional responsibilities.

(See Planning Department Report PDR-85-343.)

COMMITTEE ACTION: Reviewed by RULES on 7/8/85.

Recommendation to adopt recommendations in Planning Department Report PDR-85-343. Districts 1, 4, 8 and Mayor voted yea. District 6 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B296-320.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-151: (O-85-216) CONTINUED INDEFINITELY AND REFERRED TO
PUBLIC SERVICES AND SAFETY COMMITTEE

Introduction of an Ordinance amending Chapter III, Article 3, Division 15, of the San Diego Municipal Code, by amending Sections 33.1501.15 and 33.1550.3, relating to Cabarets and Public Dances, to require cabarets and public dancing facilities to be closed between the hours of 2:00 a.m. and 6:00 a.m.

(See City Manager Report CMR-85-363 and Committee Consultant Analysis PSS-85-21.)

COMMITTEE ACTION: Reviewed by PSS on 7/3/85. Recommendation to introduce the Ordinance. Districts 4, 5, 6 and 8 voted yea. District 3 not present.

FILE: --

COUNCIL ACTION: (Tape location: B321-C158.)

Motion by Struiksma to introduce the ordinance. Second by McColl. No vote.

MOTION BY GOTCH TO CONTINUE INDEFINITELY AND REFER BACK TO THE PUBLIC SERVICES AND SAFETY COMMITTEE (PS&S), ALONG WITH THE NOISE ORDINANCE, FOR FURTHER STUDY WITH RESPECT TO A COMPREHENSIVE POLICY GRANTING AN EXCEPTION AREA FOR DOWNTOWN. ALSO PROVIDE WRITTEN INFORMATION IN RESPONSE TO MR. JONES'S REQUEST MADE AT THE PS&S COMMITTEE REGARDING THIS PROPOSED ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-86-) FIRST HEARING HELD

Matters of:

A) Annual Appropriation Ordinance (Budget) proposed to be adopted for the Fiscal Year 1985-86.

(This is the first of two public hearings scheduled pursuant to the provisions of Section 71 of the City Charter which provides that the Annual Appropriation ordinance shall be adopted during the month of July.)

B) Use of General Revenue Sharing Funds and the relationship of these funds to the Annual Budget.

(This is the time set for citizens to ask questions and express their views, either verbally or in writing, concerning the use of General Revenue Sharing Funds.)

Federal regulations require that the City publish notice of the Revenue Sharing hearing at least 10 days prior to the hearing. This publication was made on July 11, 1985.

NOTE: See Item 330.

FILE: --

COUNCIL ACTION: (Tape location: C159-180.)

ITEM-201: (R-85-2412) ADOPTED AS RESOLUTION R-263712

Approving the San Diego Convention Center Corporation budget for the Fiscal Year 1986, as reflected in a memorandum to the Honorable Mayor and Council from the City

Manager, dated July 3, 1985.

(See memorandum from Acting City Manager John Lockwood dated 7/3/85.)

CITY MANAGER REPORT: The operating agreement between the City of San Diego and the San Diego Convention Center Corporation requires that an annual budget be submitted to and approved by the City Council. The Fiscal 1986 request totals \$397,767.

FILE: MEET

COUNCIL ACTION: (Tape location: B296-320.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-202: (R-86-40) ADOPTED AS RESOLUTION R-263713

Authorizing the City Manager to accept and execute a grant agreement from the Department of Commerce, Minority Business Development Agency, to fund a Minority Business Assistance Project.

CITY MANAGER REPORT: In December, 1984, the City of San Diego was invited to complete a grant application for funding for a Minority Business Assistance Project. The Manager's office responded by submitting a grant application in January, 1985. Confirmation from the Washington, D.C. office of the Department of Commerce has been received indicating approval of the City Manager's grant application for \$50,000. Funds will be disbursed to the City in July, 1985, for a program designed to cover a 12-month period ending June 30, 1986. The Minority Business Assistance Program (MBAP) will focus on:

- 1) Establishing realistic goals for Minority and Women Business Enterprise utilization/participation in the City's non-construction and construction programs;
- 2) Conducting an aggressive outreach program designed to identify Minority/Women Businesses and bring about an awareness in the Minority/Women Business community of the numerous contracting opportunities available through the City;
- 3) Publishing in a Minority/Women Business Contractors Directory, which will list certified Minority/Women Businesses;
- 4) Developing and conducting educational and technical assistance programs and seminars for the benefit of the Minority Business community and the City departments whose

activities will be impacted by the MBAP.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: B296-320.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S400:

Two actions relative to Parcel Map TM-84-0314, a one-parcel Parcel Map, located northerly of Governor Drive and Genesee Avenue:
(University City Community Area. District-1.)

Subitem-A: (R-86-88) ADOPTED AS RESOLUTION R-263714
Approving the parcel map.

Subitem-B: (R-86-93) ADOPTED AS RESOLUTION R-263715
Vacating the City's interest in an unneeded drainage easement affecting a portion of Lots 1272 and 1278 of the Pueblo Lands of San Diego, pursuant to Section 83 et. seq. of the Streets and Highways Code.
NOTE: See Item S401.

FILE:

Subitem A SUBD - Parcel Map TM-84-0314;

Subitem B DEED F-2923 DEEDFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

MOTION BY MCCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S401: (R-86-86) ADOPTED AS RESOLUTION R-263716

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Vacating a portion of unnamed street according to the Map by James Pacoe, known as Miscellaneous Map-36, all within the boundaries of Parcel Map TM-84-0314, under Section 8330 et seq. of the California Streets and Highways Code, which provides a procedure for the summary vacation of streets and service easements, where a street has been superseded

by relocation.

(University City Community Area. District-1.)

CITY MANAGER REPORT: The vacation of a portion of an unnamed street is a condition of Parcel Map TM-84-0314 approval for the development of a 75-unit apartment complex. The subject street is located on the east side of Genesee Avenue between Calgary Drive and Governor Drive. The street is unimproved and contains no public facilities. The parcel map will dedicate and improve a new street alignment to provide access to the apartment complex. Staff has concluded that the right-of-way to be vacated is no longer needed for present or prospective use and can be vacated conditioned upon the approval and recordation of Parcel Map TM-84-0314. This application has been processed in accordance with Council Policy 600-15.

NOTE: See Item S400.

FILE: DEED F-2924 STRT J-2560 DEEDFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S402: (R-86-100) ADOPTED AS RESOLUTION R-263717

Renaming Second Avenue, Third Avenue and "E" Street, located south of Broadway, to Broadway Circle; authorizing the installation of the necessary signs and markings.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The Center City Development Corporation has requested that Second Avenue, Third Avenue and "E" Street, south of Broadway, be renamed Broadway Circle. The construction of Horton Plaza has resulted in creating a loop street of Second and Third Avenues and "E" Street. The name change will alleviate confusing street signage and provide proper street name continuity. All affected property owners approve of the name change. All costs associated with processing the name change, including the installation of new street signs, have been paid. Staff recommends approval of the subject street name change. This application has been processed in accordance with Council Policy 600-12.

FILE: DEED F-2925 DEEDFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,
Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S403: (R-86-98) ADOPTED AS RESOLUTION R-263718

Amending the Fiscal 1986 Capital Improvements Program by adding Project CIP-11-232, Nestor Creek Detention Basin; authorizing the execution of an agreement with Leedshill-Herkenhoff, Inc. for design services; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$60,000 from CIP-11-214.0 (Paxton Drive Culvert at MTDB Tracks) to CIP-11-232, Nestor Creek Detention Basin; authorizing the expenditure of an amount not to exceed \$38,000 from CIP-11-232, Nestor Creek Detention Basin, for design consultant fees.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER REPORT: On June 24, 1985, the City Council waived Council Policy 300-7 and authorized the City Manager to contract with the firm of Leedshill-Herkenhoff, Inc. for the design of a detention basin on Lot 6, South San Diego Industrial Park. The item on today's docket will establish and fund a new Capital Improvements Project, authorize the City Manager to execute the agreement with Leedshill-Herkenhoff, and authorize funds for the design of the project. The detention basin is a requirement of the settlement of litigation resulting from the March, 1983 flooding of homes on Lauriston and Paxton Streets in the Nestor area.

Aud. Cert. 86084.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A170-182.)

MOTION BY McCOLL TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S404: (O-86-14) INTRODUCED AND ADOPTED AS ORDINANCE O-16473
(New Series)

Calling a Special Municipal Election on November 5, 1985 to present the Managed Growth initiative to the qualified voters of the City of San Diego.

Aud. Cert. 86102.

FILE: MEET

COUNCIL ACTION: (Tape location: B296-320.)

MOTION BY JONES TO INTRODUCE, DISPENSE WITH THE READING AND

ADOPT THE ORDINANCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S405:

(Continued from the meeting of July 15, 1985 at Council Member Jones' request.)
Three actions relative to the final subdivision map of Skyline Park, an 8-lot subdivision located southwesterly of Skyline Drive and Woodman Street:
(South Bay Terraces Community Area. District-4.)

Subitem-A: (R-85-2581) ADOPTED AS RESOLUTION R-263719
Authorizing the execution of an agreement with Security National, Ltd., for the installation and completion of public improvements.

Subitem-B: (R-85-2580) ADOPTED AS RESOLUTION R-263720
Approving the final map.

Subitem-C: (R-85-2579) ADOPTED AS RESOLUTION R-263721
Vacating the City's interest in unneeded drainage, sewer and slope easements affecting a portion of Lot 20 of Encanto, Map-749, together with a portion of Denver Avenue closed to public use.

FILE:

Subitems A-B SUBD - Skyline Park;

Subitem C

DEED F-2926 CONTFY86-1; DEEDFY86-1
COUNCIL ACTION: (Tape location: B296-320.)
MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S406:

(Continued from the meeting of July 15, 1985 at Council Member Gotch's request.)
Two actions relative to the final subdivision map of Ventana La Jolla, a 43-lot subdivision located northerly of Fanuel Street and Turquoise Street:

(La Jolla Community Area. District-1.)

Subitem-A: (R-85-2578) ADOPTED AS RESOLUTION R-263722
Approving the final map.

Subitem-B: (R-85-2577) ADOPTED AS RESOLUTION R-263723
Acceptance by the City Manager of an open space easement
and a general utility easement on the final subdivision map
of Ventana La Jolla; quitclaim deed, quitclaiming to La
Jolla Alta all the City's right, title and interest in the
easements for open space and general utility purposes in
Lot 31, La Jolla Alta P.R.D. Unit No. 11.

FILE:

Subitem A SUBD - Ventana La Jolla;

Subitem B

DEED F-2927 CONTFY86-1; DEEDFY86-1
COUNCIL ACTION: (Tape location: A540-557.)
MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the
following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,
Martinez-yea, Mayor Hedgecock-yea.

ITEM-S407: (R-86-109) ADOPTED AS RESOLUTION R-263724

Authorizing the execution of an agreement with Campus Point
Associates and Gen-Probe, Inc. setting forth the terms of
sale of Parcel 1 of Parcel Map PM-10410, an approximately
3.27-acre parcel, (also known as Lot 8, Campus Point
Business Park II) for the purpose of the construction of a
68,545 square-foot headquarters and research facility, for
its appraised value of \$2.05 million; authorizing the
execution of a deed, conveying to Campus Point Associates,
Parcel 1 of Parcel Map PM-10410; declaring that no real
estate broker's commission shall be paid on the herein
described transaction; authorizing the payment of all
related expenses in connection with the above-described
sale from the proceeds of the sale.

(University City Community Area. District-1. See City
Manager Report CMR-85-373.)

FILE: DEED F-2928 CONTFY86-1; DEEDFY86-1

COUNCIL ACTION: (Tape location: B296-320.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the

following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,
Martinez-yea, Mayor Hedgecock-yea.

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ITEM-S408: (R-86-111) ADOPTED AS RESOLUTION R-263725

Expressing the sense of the Council to the San Diego
Unified Port District that appropriate measures be taken to
insure open opportunity for citizen review and comment at
all levels in the decision making process regarding the
purchase and placement of art by the Port.

(See City Manager Report CMR-85-371.)

COMMITTEE ACTION: Initiated by PSS on 7/7/85. Recommendation
to adopt the Resolution. Districts 3, 4 and 6 voted yea.

Districts 5 and 8 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: A558-B295.)

MOTION BY GOTCH TO ADOPT AND DESIGNATE COUNCIL MEMBER
CLEATOR TO CARRY THE RESOLUTION TO THE PORT AUTHORITY MEETING.

Second by Mitchell. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
Hedgecock at 3:51 p.m.

FILE: MINUTES

COUNCIL ACTION: (Tape location: C181-197).